IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITON NO.252 OF 2005

M/s.Advance Caplease Pvt. Ltd. ...Petitioners.

vs.

Wadala Village Welfare C.H.S. Ltd. ...Respondents.

Mr.Sham Diwan with Naishad Engineer & Ms.S.Srikrishna i/b. A.G.Purohit, for Petitioners.

Mr.K.P.Jain with Niranjan Lapasiya i/b. Niranjan & Co. for Respondents.

CORAM: D.K.DESHMUKH,J.

DATED: 18th October,2005

P.C.:-

1. By consent of parties Mr.Ketan D.Parekh, Advocate is appointed as Arbitrator to decide the disputes between the parties. The appointment of Shri.Ketan D.Parekh, Advocate is under the scheme of the High Court for Arbitration.

2. All the issues are kept open including the issue of jurisdiction of the Arbitrator to be raised before the learned Arbitrator.

3. The parties shall be at liberty to make an application under section 17 of the Arbitration and Conciliation Act before the learned Arbitrator for appropriate interim relief.

4. The petitioners have undertaken to withdraw the Arbitration Application no.121 of 2005 filed under Section 11 of the Act.

Petition is disposed of.